THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.1828 of 2007

01.5.2007

Between:

Meneni Arundathi, W/o.late M.Laxminarasimha Rao

… Petitioner

AND

The State of Andhra Pradesh, represented by its District Collector, Karimnagar District

And others

… Respondents

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.1828 of 2007

ORDER:

Petitioner is resident of Vedira village of Ramadugu Mandal in Karimnagar District. He is allegedly owner of land admeasuring Acs.5.36 gts in survey No.736/A situated in the said village. On 19.1.2007, the subordinate staff of the second respondent allegedly visited petitioner's lands and started earmarking the land for the purpose of laying road. Petitioner alleges that without acquiring their lands, respondents are laying road in the petitioner's land.

At the stage of admission itself, counter affidavit is filed by the second respondent. It is stated that by proceedings dated 03.1.2007, District Collector accorded administrative sanction for the work of formation and metalling of road from Vedira to Nyalakondapally at an estimated cost of Rs.5.00 lakhs, and for the work of formation and metalling of road from Chinage 1/5 km road of Vedira to Nyalakondapally at an extimated cost of Rs.2.80 lakhs. The allegation that the District Collector sanctioned works for laying road in survey No.736/A is denied. It is further stated that new roads are passing through survey Nos.766, 803, 770, 769, 787 to 789 and 791. There was a road existing in the petitioner's land in survey No.736/A since eight years and the same was upgraded to metalling standard in 2003. Counter affidavit also refers to the proceedings dated 03.1.2007 issued by the District Collector according sanction for laying road from 0/9 to 2/0 km and 1/5 to 2/4 km, which is not the petitioner's land. The work is yet to be taken up as technical sanction is pending. The allegation that the work is going on speedily is denied.

The counter affidavit was served on learned Counsel for petitioner on 13.2.2007 but no reply affidavit is filed.

A reading of the counter affidavit shows that the petitioner has filed the writ petition withholding the fact that a road was already existing in the petitioner's land, which was upgraded in 2003. The writ petition is also filed making allegations, which are not proved and

which stand disproved by the counter averments.

The writ petition is therefore dismissed. No costs.

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(**V.V.S.RAO, J**)

May 01, 2007.
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